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37. (New) A method of controlling an audio signal level in a portable communications device, according to claim 36, further including using automatic gain control with hysteresis and thereby regulating gain proportions along both speech paths a full duplex state.

### REMARKS

As indicated in the Office Action of June 26, 1998, claims 20-23 have been allowed, and claims 1, 2, 4 and 7-9 are allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112. Claims 4 and 8-9 are rejected due to their dependency on a rejected base claim.

The claims have been amended to overcome the rejection(s) under 35 U.S.C. § 112. These amended claims more particularly set forth the interaction between the various parts of the claims, with the microprocessor implementing the programming aspect of the attenuators so as to affect the gain levels in the speech paths. Also, please note the omission of the "a.", "b.", "c.", *etc.* before the claim subparagraphs in the amended claims 1 and 2.

Each of the newly introduced claims has been written in a manner that is also believed to be patentable over the prior art. A check in the amount of \$334.00 is enclosed herewith to cover the inclusion of the additional claims. The calculation is as follows: original application having 9 claims with 4 independent claims (fees paid appropriately); preliminary amendment dated 13 May 1997 adding 14 claims and increasing the total number of independent claims to 7 (no additional fees paid); amendment dated 18 March 1998 canceling 13 claims and decreasing the total number of independent claims to 5 (no additional fees paid); the instant amendment adds 14 claims

and increases the total number of independent claims to 7, and with the total claim count at 24. Payment has been rendered only for four independent claims, and not for the 21<sup>st</sup> through the 24<sup>th</sup> claims. Thus, the above amount of \$334.00 covers the fee for the three independent claims over the four for which payment has been made (\$82.00 x 3) and the four claims in excess of the 20-claim limit (\$22.00 x 4). If this accounting is incorrect, please refund any excess payment or point out the amount deficient.

In view of the discussions set forth above, the Applicant respectfully requests that the rejections be withdrawn. A favorable response in earnestly requested.

Please direct **further correspondence** to the undersigned at the new address provided below.

Respectfully submitted,

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By: 

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Enclosures

Check in the amount of \$334.00  
Change of Correspondence submission